

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHARLES R. HINE,

Plaintiff,

v.

No. 1:04-CV-0476
(NAM/DRH)

HEWLETT-PACKARD COMPANY, ET AL,

Defendants

APPEARANCES:

OF COUNSEL:

Iseman, Cunningham Law Firm
9 Thurlow Terrace
Albany, NY 12203

BRIAN M. CULNAN, ESQ.

Wilson, Elser Law Firm
677 Broadway - 9th Floor
Albany, NY 12207-2996

PETER A. LAURICELLA, ESQ.

NORMAN A. MORDUE, Chief U.S. District Judge

JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT

Pursuant to the status report filed on November 15, 2006, by attorney Culnan, that the parties have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, I find that it is not necessary for this action to remain on the court's active docket.

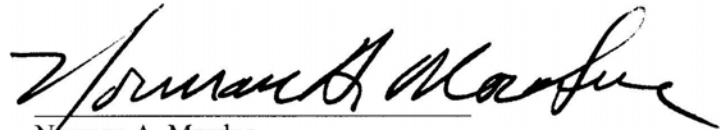
It is therefore hereby

ORDERED, as follows:

- 1) This action is dismissed, with prejudice, except as set forth below.

- 2) The court will retain complete jurisdiction to vacate this order and to reopen the action within **30 days** from the date of this order upon cause shown that the settlement has not been completed and further litigation is necessary.

Dated: November 17, 2006
Syracuse, New York



Norman A. Mordue
Chief United States District Court Judge

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